

**DRAFT**  
WASHINGTON STATE  
EXECUTIVE ETHICS BOARD  
2425 Bristol Court SW – 1<sup>st</sup> Floor Conference Room 148 – Olympia, WA

July 13, 2006  
Special Meeting Minutes

**A. Preliminary Business**

**1. Roll Call**

The special meeting of the Washington State Executive Ethics Board (EEB) was called to order by Chair Trish Akana at 1:00 p.m. Also present were Members Paul Zellinsky, Judy Golberg and Neil Gorrell. Board staff in attendance included: Executive Director Susan Harris, Senior Assistant Attorney General Nancy Krier, Assistant Attorney General Mike Tribble, Administrative Officer Ruthann Bryant and Investigators Nancy Lewin and Sue Jones. Chair Akana noted that Vice Chair Yenson would be arriving at approximately 1:15 p.m.

**2. Approval of Agenda**

Susan Harris requested Item C. Policy Reviews be moved up to 1:15 p.m. due to time constraints on the part of the Attorney General's Office spokesperson.

**Motion 07-001** Moved by Member Zellinsky, seconded by Member Gorrell:

**The Board approves the July 13, 2006 agenda as amended.**

The motion passed unanimously.

**3. Approval of May 12, 2006 Minutes**

Member Golberg requested that "AGMAP" on page 3 be spelled out for clarification. Chair Akana requested that "CTR" on page 2 also be spelled out.

**Motion 07-002** Moved by Member Golberg, seconded by Chair Akana:

**The Board approves the May 12, 2006 minutes as amended.**

The motion passed unanimously.

**B. Advisory Opinion Requests**

**1. Solicitation by Parks Representatives**

Susan Harris introduced Melanie Watness and Elliott Marks from the Washington State Parks and Recreation Commission and summarized a request for an

advisory opinion on whether Parks employees can solicit gifts for the agency. She noted that Parks has the statutory authority to receive gifts from private sources as well as the authority to enter into sponsorships with outside organizations. It is not clear if they can solicit for those gifts, how it affects a "section 4" employee and the solicitation of vendors.

The discussion was postponed to allow review of the Attorney General's Office Policies.

Member Yenson arrived at 1:15 p.m.

### **C. Policy Reviews**

Ms. Harris introduced Deputy Attorney's General Shirley Battan and Jeff Goltz and provided seven draft policies submitted by the Attorney General's Office. She reported that each of the policies is consistent with past policy approvals.

Ms. Harris discussed draft policy regarding Use of State Resources. Shirley Battan noted that this policy has been previously approved and the only change reflected the new Attorney General.

Chair Akana requested "Chief of Staff" be added to the list of persons to provide authorization in writing within paragraph B on page 1.

**Motion 07-003** Moved by Chair Akana, seconded by Member Gorrell:

**The Board approves the Office of the Attorney General policy on Use of State Resources as amended.**

The motion passed unanimously.

Ms. Harris discussed a draft policy regarding Business-Related Social Activities.

**Motion 07-004** Moved by Member Zellinsky, seconded by Member Gorrell:

**The Board approves the Office of the Attorney General policy on Business-Related Social Activities as presented.**

The motion passed unanimously.

Ms. Harris also discussed a draft policy regarding Gifts, Business Meals, Honoraria. Chair Akana requested adding a link to RCW 42.52.140 Gifts for reference.

**Motion 07-005** Moved by Chair Akana, seconded by Member Gorrell:

**The Board approves the Office of the Attorney General policy on Gifts, Business Meals, Honoraria as amended.**

The motion passed unanimously.

Ms. Harris discussed a draft policy regarding Wellness.

**Motion 07-006** Moved by Chair Akana, seconded by Member Gorrell:

**The Board approves the Office of the Attorney General policy on Wellness as presented.**

The motion passed unanimously.

Ms. Harris also discussed a draft policy regarding Electronic Mail Use.

**Motion 07-007** Moved by Member Golberg, seconded by Chair Akana:

**The Board approves the Office of the Attorney General policy on Electronic Mail Use as presented.**

The motion passed unanimously.

Ms. Harris discussed a draft policy regarding Internet Services Use.

**Motion 07-008** Moved by Member Golberg, seconded by Member Gorrell:

**The Board approves the Office of the Attorney General policy on Internet Services Use as presented.**

The motion passed unanimously.

Ms. Harris also discussed a draft policy regarding Pro Bono Activities.

**Motion 07-009** Moved by Member Gorrell, seconded by Member Golberg:

**The Board approves the Office of the Attorney General policy on Pro Bono Activities as presented.**

The motion passed unanimously.

## **B. Advisory Opinion Requests (continued)**

### **1. Solicitation by Parks Representatives**

Ms. Watness provided historical background and noted that Parks has begun to implement the vision adopted by the Commission for their upcoming Centennial in 2013. As a result, they will engage in more partnerships with businesses, further develop sponsorship programs and opportunities and the solicitation of gifts from private individuals to help refurbish and improve existing and new parks and trails.

Susan Harris provided the Board with Advisory Opinion 96-01 regarding Agency – Gifts – Section 4 Employee – Payments For Educational Programs as well as Frequently Asked Question 20 regarding agency employees soliciting donations for charitable events from outside businesses for reference.

Senior Assistant Attorney General Nancy Krier noted that a request for an informal AG Opinion can help clarify inconsistencies between statutes among different agencies. Member Gorrell suggested asking for a formal AG Opinion. It was agreed that Parks should request the opinion with input from Ms. Krier.

**Motion 07-010** Moved by Member Golberg, seconded by Member Gorrell:

**The Board will hold Washington State Parks and Recreation Commission request for an Advisory Opinion regarding solicitation by Parks representatives pending the outcome of a formal AG Opinion as it relates to Section 4 employees.**

The motion passed unanimously.

## **C. Policy Reviews (continued)**

Ms. Harris briefly discussed a draft policy regarding Employee Conduct and Ethics submitted by Washington Parks and Recreation Commission originally presented at the Board's May 12<sup>th</sup> meeting. She noted the new draft included information regarding post employment and a reference to WAC 292-110-010(8) as requested by Chair Akana.

**Motion 07-011** Moved by Chair Akana, seconded by Member Gorrell:

**The Board approves Washington State Parks and Recreation Commission policy on Employee Conduct and Ethics as presented.**

The motion passed unanimously.

## **2. Review of Draft of Electric Car FAQ**

As a follow up to a discussion at the May 12, 2006 meeting, Ms. Harris provided a draft FAQ clarifying that a state employee can use the electricity from a power outlet at a state owned or leased facility to charge a personal electric vehicle that is used to commute to work as long as the agency included the usage in its Commute Trip Reduction plan.

Member Gorrell requested adding language requiring agency approval in addition to having it in agency policy.

**Motion 07-012** Moved by Member Golberg, seconded by Member Gorrell:

**The Board approves the Electric Car FAQ as amended.**

The motion passed unanimously.

## **D. Staff Reports**

### **1. Executive Director's Report**

Susan Harris discussed the current budget and noted that the office remodel is scheduled to begin by the end of July. She also noted that a request has been made for a CD duplicator machine for the Train-the-Trainer program.

Ms. Harris reported on training conducted by staff during fiscal year 2006 and noted that 1,900 individuals attended 24 training sessions. She also summarized the Attorney General Management Accountability Program (AGMAP) regarding performance measure analysis on ethics complaints.

Ms. Harris also noted that the Legislative Ethics Board has requested an AG Opinion on whether Code Reviser employees are under the jurisdiction of the Legislative Ethics Board or the Executive Ethics Board.

Member Gorrell commended staff for their hard work on the 2006 WA State Ethics Conference.

### **2. Other Staff Reports**

No other staff reports were given.

## **E. Public Comment/Board Member Comments**

No public or board member comments were presented.

## **F. Executive or Closed Session**

At 3:00 p.m. the Board moved into Closed Session to discuss potential litigation and deliberate and to receive and evaluate complaints against state employees and officers. At 4:05 p.m. the Board returned to regular session.

**G. Board Discussion on Meetings and Hearings**

The Board moved discussion on this topic until the retreat scheduled for Friday, July 14, 2006.

**H. Miscellaneous Matters/Adjournment**

There being no miscellaneous matters, the meeting was adjourned at 4:06 p.m.

Approved by the Board 09/8/06